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C O N F I D E N T I A L COLOMBO 000567

SIPDIS

DEPARTMENT FOR SA/INS, G/TIP

E.O. 12958: DECL: 03/21/2015

TAGS: PHUM SMIG KCRM KFRD CE GM

SUBJECT: SRI LANKA: NO PATTERN OF FOREIGN MISSION  
ASSISTANCE TO SUSPECTED TRAFFICKERS

REF: A. NEUMANN-TOMASZEWICZ 03/08/05 UNCLASS EMAIL

1B. BERLIN 767

Classified By: James F. Entwistle, Deputy Chief of Mission. Reason 1.4  
(b,d).

11. (C) There does not appear to be a widespread pattern by foreign missions to aid their nationals in departing Sri Lanka while under criminal investigation. We know of only one solid case in 2004, as well as accounts of possible cases before then. Sri Lankan authorities take cases of pedophilia involving foreigners seriously. Indeed, nationals from several other countries, including the U.S., are currently in the Sri Lankan legal system on charges of suspected trafficking and/or abuse.

Alleged German mission assistance to suspected pedophile  
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12. (C) Poloff spoke with Dr. Harendra de Silva, head of the National Child Protection Agency (NCPA) and a close Embassy contact, who is zealous in his commitment to protect children from trafficking and investigate adults suspected of involvement. His description of events about a recent case of suspected pedophilia involving a German national largely tracks with the readout from the German government (Ref B). According to de Silva, the man's German passport had been confiscated by Sri Lankan officials who were investigating the allegations. Law enforcement officials confirmed to poloff that a German man had been arrested in October 2004 on charges of pedophilia and his passport impounded by the court.

13. (C) De Silva said that despite the Germany Embassy's apparent knowledge of the criminal investigation, Embassy officials issued the man a travel document enabling him to leave Sri Lanka. One police official told us he had heard that the German mission in Sri Lanka aided its nationals who were under suspicion for any kind of criminal activity -- not only trafficking -- in departing Sri Lanka. (Note: this would track with Embassy Berlin's comment that German consular officials are required to issue travel documents in such cases. End Note.) While the police were not aware of the specifics of the German's departure, several officers stated they knew he was no longer in Sri Lanka. Notwithstanding his absence, the next hearing on the matter, scheduled for May, will take place; the German national is one of four defendants in the case.

14. (C) In a separate conversation with poloff, Palitha Fernando, Senior State Counsel and head of the Child Protection Unit within the Attorney General's office, said he was not familiar with the case of this German national. In addition, he was not aware of any instances of foreign embassies assisting their nationals to depart Sri Lanka while under suspicion of child trafficking.

No pattern of foreign mission interference  
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15. (C) In speaking with poloff, Prof de Silva outlined two other instances in which the German and Norwegian Embassy each were suspected of aiding their nationals in leaving Sri Lanka in previous years. The German case was from the late 1990s, while the Norwegian example was from the early 2000s. Although de Silva implied that he believes the Germany Embassy may have been involved in more cases, he was unable to offer any specific details or even more anecdotal evidence. De Silva said there were "many suspects, but they often leave before getting caught." The NCPA chair also noted that four Dutch nationals had been arrested on suspicion of involvement in child trafficking in recent years, but that the Dutch Embassy in Colombo had been "silent" -- not getting involved -- on the matter.

Comment  
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16. (C) In our consular experience, Sri Lankan officials tend to be much more proactive in potential trafficking and child abuse cases involving foreigners, suggesting that they keep a vigilant eye on foreign missions' assistance to such

suspects. Along the same lines, Sri Lankan judges often do not approve bail for foreign suspects -- in cases where they very well might for a Sri Lankan defendant -- to prevent them from fleeing the country. In our view, while our diplomatic colleagues no doubt do what they are required to do to assist their nationals, we do not see a widespread problem of foreign embassies helping pedophiles and/or child traffickers abscond from Sri Lanka. End Comment.

LUNSTEAD